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**Z-2263**  
**JAMES D. HOLTON**  
**R2 TO NBU**

**STAFF REPORT**  
**September 15, 2005**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner is requesting rezoning of a 0.17 acre tract located at 514 North 26<sup>th</sup> Street, adjacent to the southeast from Sunnyside Middle School for a proposed office facility for a financial business, Lafayette, Fairfield 21 (SE) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The site is zoned R2 as is land to the south, fronting on N. 26<sup>th</sup> Street. The site is surrounded by residential zoning with R1 to the north and west. A small piece of R1B zoning is to the south along Cason Street; land east of N. 26<sup>th</sup> Street is also zoned R1B. Much of the area south of Cason was rezoned to MR in 2002 as part of the Columbian Park Neighborhood rezone (Z-2095).

**AREA LAND USE PATTERNS:**

A single-family home occupies the site. Two of the three lots to the south are also occupied by houses used commercially. These two lots received special exceptions for professional offices in the R2 zone under the repealed ordinance (BZA-544 & 802). The third lot, at the northwest corner of N. 26<sup>th</sup> Street and Cason, is occupied by a dentist office in a commercial building. Immediately west of the dentist office is a single-family home. Sunnyside Middle School is north and west of the site. Homes occupy lots east of N. 26<sup>th</sup> Street and a mix of medical facilities are south of Cason.

**TRAFFIC AND TRANSPORTATION:**

The site is accessed by N. 26<sup>th</sup> Street, which is classified as a local road in the *Thoroughfare Plan*. Property owners in the NBU zone are only required to provide 60% of the required parking. Based on a brief conversation with the petitioner, the proposed use is an office facility of a financial planner, which generally requires 1 space per 200 square feet of gross floor area. A compliant parking plan would have to be approved by the Lafayette City Engineer before the business could be opened.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

Sanitary sewer and water serve the site. Bufferyards are not required between NBU and residential zones.

**STAFF COMMENTS:**

Petitioner's site has been a point of discussion between City of Lafayette officials and staff, both of whom agreed that the site historically housed a home occupation and that any future commercial use would have to conform to that section of the ordinance to be permitted. Certain home occupations, such as an office facility for a resident of the home, are permitted as long as they conform to UZO Section 5-5-3. That section severely restricts what types of businesses are allowed and only permits residents of the house to be employed. The site in question is currently up for sale and the prospective buyers would like to use it as an office for a financial

business and not live in the structure; therefore, a rezone is needed in order to permit the desired use.

The obvious trend with these lots on the west side of N. 26<sup>th</sup> Street is a transition from residential to commercial uses. The two lots south of this site received special exceptions in the past to run professional offices in the R2 zone. Special exceptions for such a use were permitted under the repealed ordinance, but not under the current zoning ordinance. Staff feels that it would make more sense for all of the commercial uses in this strip to be included in this request for NBU rezoning. However, rezoning in this area will probably happen incrementally as needed, a transition that staff can support.

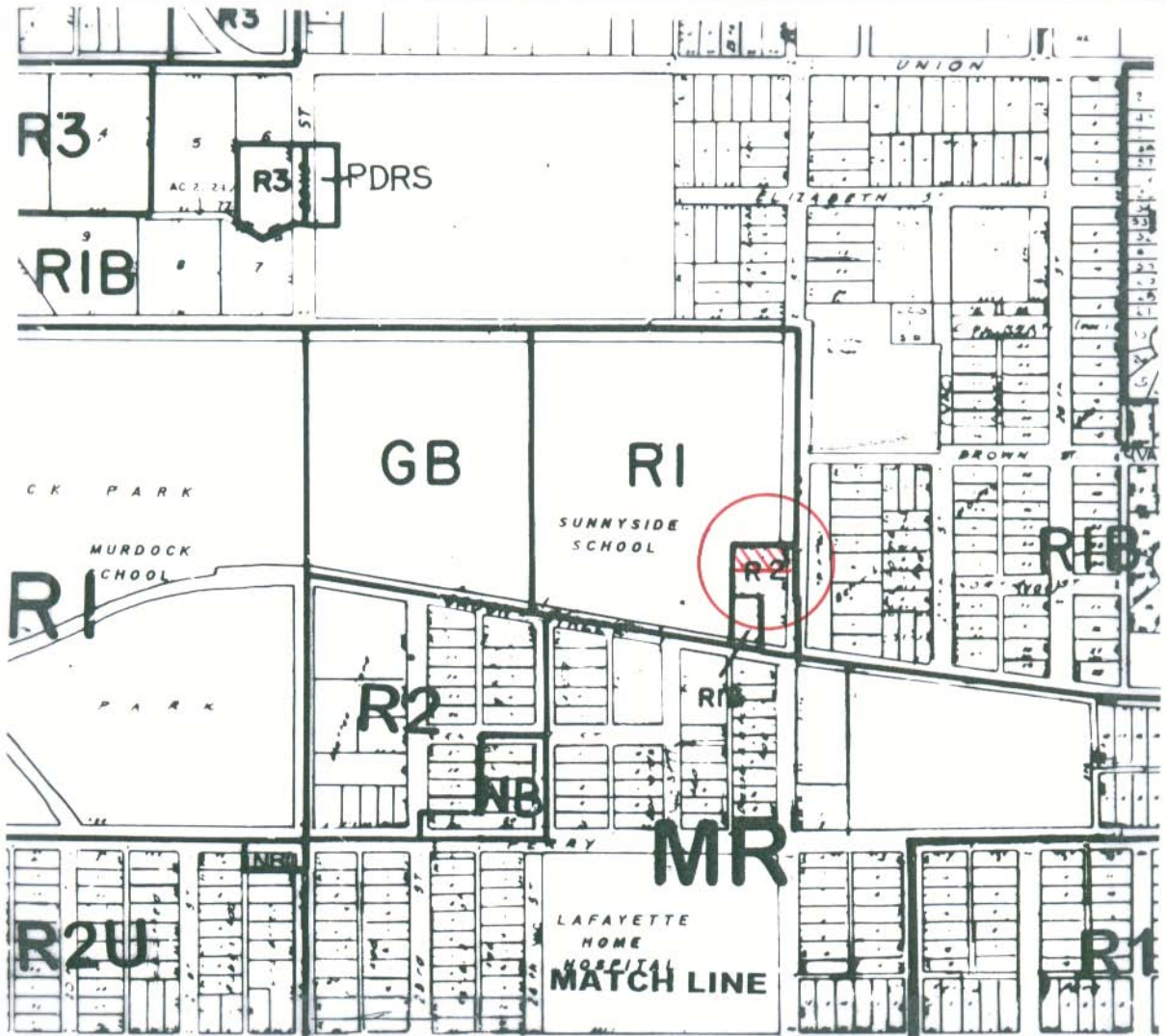
**STAFF RECOMMENDATION:**

Approval

Z-2263

James D. Holton

(R2 to NBU)



Scale 1" = 500'